GENERAL INDEX.

PAGE.

Abbott's Practice Reports, vol. v ... 223
Abrogation of grand jury system ... 24
Absolute divorce ... 266
Accused as witness ... 135
Address of Batonnier of French bar ... 311
Administration, Bankruptcy law and ... 3
Admission to bar ... 27, 53, 54, 72, 301
Advertising, legal ... 72, 230
Affidavit of age by enlisting infant ... 181
Agencies, partnership ... 264
Agreement to fight ... 329
Atkinson *et al. v.* Great Western R. R. Co ... 252
Alabama claims ... 119, 266, 281, 318, 378, 401
Albany Law Journal, complimentary notice of ... 31
Albany law school ... 319
Aliens, acquisition, etc., of real estate by ... 24
Alliance *Monitor* ... 73
Amendment proposed to U. S. constitution ... 321
Amendments to Code ... 119
Amendments to statutes ... 7
American Case, the treaty lawyers, and ... 281
American Constitutions ... 114
American Reports and Reporters ... 359, 376, 389
Animals, transportation of ... 181, 299
Appeal, courts of ... 241
Appointments in England, judicial ... 18
Apprenticeships, law ... 97
Arbitration, international ... 169
Arrest ... 243, 317
Art works, and sale and levy under execution ... 410
Assault and battery, agreement in ... 329
Assessments, proposed improved mode of making ... 101
Associations and joint-stock companies, parties in actions by and against ... 69
Attorney and client, confidential communications between ... 1
Attorneys and pension claims ... 42
Attorney stricken from roll ... 245

Bags and gowns ... 225
Baldwin, Wood, elected judge ... 190
Bankruptcy law, administration and ... 3
Bar Association ... 387
Barnard, Judge, impeachment of ... 90, 246, 300, 315, 318, 331, 352, 417
Barratry ... 246, 252
Bills and notes ... 298
Bills, the judiciary ... 177
Binding, peculiar ... 322
Blind lawyer, a ... 19
Boiler plate manufacturers ... 213
Bonds issued ultra vires ... 118
Book gossip ... 176
Book notices:
American and English Bankruptcy Digest ... 159
American Corporation Cases ... 386
American Law Review ... 239
American Patent System ... 371
American Reports, vol. iv ... 386
American Trade-Mark Cases ... 127
Bankruptcy Digest, American and English ... 159
Bench and Bar ... 322
Bishop on Criminal Law ... 321
Commercial Law, Compendium of ... 80
Compendium of Commercial Law ... 80
Conflict of Laws, Story on ... 291
Contracts, Law of ... 159
Daly's Reports, N. Y. Com. Pleas ... 321
Digest of Insurance Cases ... 275
Dillon's Circuit Court Reports ... 79
Fire Insurance Cases ... 370
Fisher's Digest of Criminal Law ... 207
Gazzam's Treatise on Bankrupt Law ... 259
Horace Hawes' Will Case ... 208
Index to Conveyancing and Commercial Precedents, ... 239
Insurance Law Journal ... 153
Insurance Reports, Life and Accident ... 192
Law of Contracts ... 159
Law of Fraud and Mistake, Treatise on ... 112
Law of Life Insurance ... 79
Law of Trust and Trustees, Treatise on ... 102
Law Magazine and Review ... 222

Book notices—Continued. PAGE.
Leavitt's Circuit Reports ... 417
Life Insurance, the Law of ... 79
Lowell's Decisions ... 339
Maryland Law Reporter ... 322
Massachusetts Digest ... 239
Medical Jurisprudence of Insanity ... 260
Railroad Laws of State of New York ... 31
Receivers, Treatise on Law and Practice as to ... 239
Saunders on Negligence ... 370
Southern Law Review ... 353
Treatise on the Law of Fraud and Mistake ... 112
Treatise on Law and Practice as to Receivers ... 239
Treatise on the Law of Trusts and Trustees ... 112
Trusts and Trustees, Treatise on law of ... 112
United States Digest ... 238
United States Jurist ... 31, 239
Wait's Table of Cases ... 202
Writs of Mandamus and Prohibition ... 239
Books, our ... 65
Books Received:
Bishop on Criminal Procedure ... 223
Bliss on Life Insurance ... 31
Bond's Report ... 354
Civil Code of California ... 31
Dillon's Circuit Court Reports, vol. i ... 31
Fisher's Digest of Criminal Law ... 192
Gazzam on Bankruptcy ... 223
Hilliard on Real Property ... 223
Horace Hawes' Will Case ... 192
Howson on Patents ... 354
Illinois Reports, vol. liii ... 31
Mass. Digest ... 223
Medical Jurisprudence of Insanity ... 192
Saunders on Negligence ... 354
Sharpstein's Digest of Life Insurance ... 192
Story on Conflict of Laws ... 223
U. S. Digest ... 223
Boston Law School ... 347
Breach of promise to marry ... 152, 235
Bureaus, consolidation of ... 243

Cairns, Lord ... 300
Calendar of court of appeals for January term ... 28
Candidate for admission to bar ... 27
Capital punishment ... 284, 318
Cardozo, Judge, resignation of ... 300
Carriers of passengers in England ... 73
Case, Spencer Cowper's ... 261
Caucuses, regulation of ... 90
Centennial celebration at Johnstown ... 393
Charges against Judge Curtis ... 393
Charges against N. Y. Judges ... 246
Charges of mal and corrupt conduct against judges, example of ... 181
Chase, Chief Justice ... 246
Chicago, Danville, etc., R. R. *v.* Smith ... 73
Chicago *Legal News* ... 417
Chinese oath ... 285
Church and the courts ... 49
Churches, power of courts over ... 266
Circumstantial evidence ... 361
Civil actions, arrests in ... 243
Civil and criminal cases, distinct terms for ... 24
Civil code of California ... 69, 191
Civil rights bill ... 229, 347
Clergymen ... 362
Client and attorney, confidential communications between ... 1
Clubs, law of ... 228
Clutterbuck *v.* Great Western R. R. ... 73
Code of California, civil ... 69, 191
Code of procedure and the legislature ... 318, 347
Colored citizens, rights of ... 229
Commercial travelers, rights of ... 6
Commission of appeals ... 228
Commission for statute revision, report of ... 98
Commission under treaty of Washington ... 90
Commissions, the era of ... 136
Commitment of Mr. Stillman for contempt ... 152
Common carriers, liability beyond their line ... 389
Compliment to Hon. A. J. Parker ... 354
Condition in contracts, excusing non-performance ... 271

PAGE.

Condition of our municipal law 141
Conductor and passenger 13
Confidential communications between attorney and client 1
Conflict of courts 242
Conflict of laws 133
Congress, adjournment of 377
Consolidation of bureaus 243
Constitutions, American 114
Constitution of United States and Supreme Being 72
Construction of wills:
  condition 145
  dying without "issue" 66, 87
  precatory trusts 4, 20
  survivorship 130
Constructive trusts — statutes of limitation 316
Contested election — Potter's Case 24, 74
Contracts:
  by letters 272
  condition in excusing non-performance 271
  misrepresentation under 282
  place of making 113
Contributory negligence in passenger 170, 265
Comptroller and the court of appeals reports 7, 34
Copyright, international 40
Copyright treaty 301, 330
Coroner's jury, verdict of in Wilkinson case 317
Corporations in Pennsylvania 180
Correction 354
Correspondence 142, 221, 304
Correspondence, European 379, 394, 412
Costs, taxable 147
Counsel in Judge Barnard's Case 417
Countersigning policies 326
County courts in England 102
Courts of appeal 241
Court of appeals, calendar for January term 28
Court of appeals decisions 221, 339
Court of appeals reports and the comptroller 7
Court of appeals reporter 101
Court of common pleas of New York, history of 277
Court of impeachment 318, 346
Courtesy, international 193
Courts and the church 49
Courts, conflict of 242
Courts of equity, our 241
Courts, federal, the law's delay in 22
Crime, increase of, in summer 392
Criminal law, novel question in 190
Criminals:
  extradition of 405
  female 209, 330, 331, 410
  pardoning of 17
  treatment of 38
Cruelty to animals 197
Cumulative legacies 29
Cumulative penalties for collecting illegal fares 55
Cumulative voting 119
Curious cases in law and in fiction 245, 301, 322, 347, 410
Current topics:
  absolute divorce 266
  abrogation of grand jury system 24
  accused as witness 135
  admission to bar 53, 54, 72, 301
  advertising, legal 72, 230
  affidavit of age by minor on enlisting 181
  Alabama Claims 119, 266, 318, 377
  Albany law school 319
  aliens, acquisition, etc., of real estate 24
  alliance Monitor 73
  amendments to code 119
  amendments to statute 7
  animals, transportation of 181
  arrest 317
  art, works of, subject to levy under execution 410
  assessments 101
  attorneys and pension claims 42
  attorney stricken from roll 245
  bar association 90, 230, 246
  Barnard, Judge, impeachment of 300, 318
  barratry 246
  boiler plate manufacturers 213
  Boston law school 347
  breach of promise to marry 152
  Cairns, Lord 300
  California civil code; telegram announcing adoption of 181
  capital punishment 283, 318
  Cardozo, Judge, resignation of 300
  carriers of passengers in England 73
  caucuses, regulation of 90
  centennial celebration at Johnstown 393
  charges against New York judges 246, 393
  charges of mal and corrupt conduct against judges, historic examples of 181
  Chase, Chief Justice 246
  Chicago, etc., R. R. v. Smith 73
  Chinese oath 285
  churches, power of courts over 266
  circumstantial evidence 361
  civil and criminal cases, distinct terms for each 24
  civil rights bill 229, 347

Current topics — Continued. PAGE.

  clergymen 362
  Clutterbuck v. Great Western Railroad 73
  code of procedure of New York 119, 317, 347
  code, civil, of California 181
  colored citizens, right of 229
  commissions, the era of 136
  commission of appeals 228
  commission under treaty of Washington 90
  commitment of Mr. Stillman for contempt 152
  congress, adjournment of 377
  constitution of United States and Supreme Being 72
  contested election — Potter's Case 24, 74
  contributory negligence of passenger 170
  comptroller and court of appeals reports 7
  copyright treaty 301, 330
  coroner's jury, verdict of, in Wilkinson Case 317
  corporations in Pennsylvania 180
  county courts in England 102
  court of appeals reporter 101
  court of appeals reports and the comptroller 7
  court of impeachment 318, 346
  crime in summer 392
  criminals, female 330, 331, 410
  cruelty to animals 197
  cumulative penalties for collecting illegal fares 55
  cumulative voting 119
  curious cases in law and in fiction 245, 301, 347, 410
  Curtis, Judge, case of 393
  custom house matters, investigation of 41
  deed absolute as mortgage 55
  defective streets 54, 171
  Delaware and the whipping-post 213
  disabilities of American women married abroad 228
  divorce 197, 266
  dog in court 73
  Drake's amendment, constitutionality of 90
  drawing-room cars, law of 346
  eccentric will 410
  ecclesiastical jurisdiction 266
  eleemosynary institutions 361
  English county courts 102
  English law of descent 135
  equality of sexes in Illinois 229
  evidence, rules of, in U. S. court 330
  execution, levy of, on governor's portraits in New York city 410
  executor, liability of 102
  Fair, Mrs., and her friends 410
  fares, cumulative penalties for collecting illegal 55
  fares on horse railroads 171
  Farhall v. Farhall 102
  female criminals 331, 361, 410
  Fisher v. N. Y. C. R. R. Co 55
  Fitzpatrick v. Hearne 73
  French judicial reform 362
  French "irritation" 301
  Frost v. Knight 152
  general term supreme court and the judges 7
  Gordan, the claims of 329
  government employees 330
  governor's message and legal amendments 7
  grand jury system, abrogation of 24
  Gurnsey v. Rogers 55
  Hamilton college 72
  handbills in newspapers 73
  highway, defects in 171
  historic examples of charges against judges 181
  Holmes, O. W., on lawyers 331
  horse railroads, fares on, in Brooklyn 171
  ice at railway station, injury to passenger 120
  ignorant jurymen 52
  illegal acts, statutes legalizing 42
  Illinois liquor law 54
  Illinois rule of admission to bar 53
  impeachment, court of 318
  impeachment in America, London *Law Journal* on 362
  impeachment trials 300
  infant, affidavit of age on enlisting 181
  injunction, violation of 182
  insurance, difficult question in 55
  investigation of custom house matters 41
  Jamison, Judge, and female suffrage 54
  judges, selection of 54
  judiciary committee and the New York judges 171
  juries in Russia 331
  juries, trial of Mrs. Sherman and Hyde 285
  juror, death of a 197
  jurors, new law relating to 347
  jury, abrogation of grand 24
  jurymen and the newspapers 54
  jury of women to try plea of pregnancy 267
  jury trial in Tennessee 120
  kerosene, on insured premises 73
  law, a laborious profession 391
  law reform in Virginia 90
  law reports in New York dailies 331
  law schools and admission to bar 54, 72
  law school, Albany 319
  law school, Boston 347
  lawyers, Holmes on 331
  legal advertising 72, 230
  legal amendments and governor's message 7

Current topics—Continued. PAGE.

legal business in England 101
Legal Intelligencer 72
legal profession in America and England compared, 366
legal profession in Scotland and United States 120
legal tender decision 24
legislature, compensation of members 317
Leonard, Judge, appointed to supreme court 319
limited divorce 197
liquor laws 54, 230, 284
litigation, spirit of 411
local prohibition 284
London *Law Journal* on impeachment in America 392
lynch law 24
manufacture and inspection of marine engines 213
married women, rights and liabilities of 72, 91
married women, disabilities of 228
marrying deceased wife's sister 246
Mayor Hall, trial of 170
McCarthy, Mrs., trial of 330
McCunn, Judge 230, 319, 347, 393
McElvain *v.* Mudd 73
McKean, Judge 246, 284
McNeil *v.* Tenth National Bank 41
measure of distance 120
ministers 362
mixed commission under treaty of Washington 90
moral law in divorce cases 267
Moreflet *v.* Cole 120
Mormon trials 101, 246, 284
mortgage, deed absolute as 55
Morton *v.* Wylie 55
municipal aid to railways 73
municipal corporations, liability for injuries caused by defective streets 171
murder trials, fascination of 90
national prison association, report of 72
naturalization 135
New Hampshire Reports 317
newspapers, hand-bills in 73
newspapers and jurors 54
New York judges 152, 171, 246
N. Y. Times on Judge McCunn's trial 393
oath, Chinese 285
official disabilities, governor's veto of act relieving 90
official positions and women 54
official salaries 267
palace cars 346
Paris, defective streets in 54
parliament of man 120
passenger, injury to, by falling on ice at railway station 120
passengers, carriers of, in England 73
passenger, contributory negligence by 170
penalties for collecting illegal fares, cumulative 55
Pennsylvania and the corporations 180
pension claims and attorneys 42
People *ex rel.* Detroit & C. R. R. *v.* Township of Salem 54
physical conditions of crime 362
pledgees of stock 41
Pondrom *v.* Chicago & Alton R. R. Co 170
Potter's Case, contested election 24, 74
practice in U. S. courts 330, 377
Prescott, Wm 55
Prindle, Judge, case of 319, 347
prison association, national report of 72
railroad bills 229
railroad bonds 55, 362
railway, donation by town in aid of 73
railway corporations, guaranty of bonds of another railroad 397
Ransom *v.* Pennsylvania R. R. Co 91
real estate, acquisition, etc., by aliens 24
referees 245
reform, judicial, in France 362
religion in the Constitution of U. S 72
removal of causes 229, 329
reporter 101, 181
resignation of Judge Cardozo 300
revision commission 196
Ross' Trusts, *in re* 135
salaries, judicial 267, 411
salaries, official 267
Saratoga and the court of impeachment 346
Scottish law 135
secondary evidence 170
selection of judges, system suggested by London *Economist* 54
senate and house, difficulty between on tariff bill 213, 245
Shepherd *v.* Midland R. R. Co 120
ship commanders 377
Shylock *v.* Antonio 197
slave contracts 73, 283
special legislation 7
state courts and United States courts 55
state trials in France 213
statutes legalizing illegal acts 42
statutory amendments 7
stock, purchasers and pledgees of 41
Stokes, E. S., trial of, postponed 362
Supreme Being and constitution of United States ... 72

Current topics—Continued. PAGE.

supreme court judges and general term 7
Talcott *v.* Township of Pine Grove 55
tariff bill, disagreement on between houses of congress 213, 245
tax on railroad and town bonds 55, 73, 196
Taylor *v.* City of Battle Creek 55
terms, distinct, for civil and criminal cases 24
Tichborne case 170
town aid to railways 55, 73, 196
Township of Salem *v.* R. R. Co 55
transportation of live animals 181
treaty of Washington 266, 318, 377
trial by jury in Tennessee 120
trials for murder, fascination of 90
Trochu, Gen., trial of 213, 228
United States *v.* Klein 90
university of Music 197
Utah court and its proceedings 101
Virginia, law reform in 90
Washington treaty 266, 318, 377
whipping-post, the 213
women's rights 42, 54
women suffrage 42
women and official positions 54
women at bar in Illinois 229
Curtis, Judge, case of 393
Custom house matters, investigation of 41

Davy, Wm., saying of 6
Decision of court of appeals 22, 339
Decisions of supreme court 206, 320, 357, 399
Deed absolute as mortgage 55
Defense of Nichols & Co 34
Defective streets:
in Paris 54
liability of cities for injuries caused by 171
Delaware and the whipping-post 213
Detroit *v.* Blakeby 221
Dialectics, legal 293
Dickens, Charles, drawn as juror 143
Directoral intrigues 211
Disabilities of women married abroad 228
Discipline, prison 40
Disqualification of jurors 81
Divorce, absolute 266
Divorce, limited 197
Dog in court 73
Drake's amendment, constitutionality of 90
Drawing-room cars 346

Eccentric will 410
Eccentric German witness 16
Ecclesiastic jurisdiction 266
Education preliminary to the study of law 129
Eleemosynary institutions 361
Elwood *v.* Gardner 307
English county courts 102
English judicial appointments 18
English law of descent 135
English law reform and legal education, notes on 61
English notes 223, 240, 260, 322
English reports 354
English view of the legal profession in America, 341, 357, 373
Equality of sexes in Illinois 229
Equity, courts of 241
Erskine, Lord 208
European correspondence 329, 394, 412
Evidence, rules of, in U. S. courts 330
Execution, levy of, on governor's portrait in New York city 410
Executor, liability of 102
Experts, juries of 227
Extradition of criminals 405

Fair, Mrs., and her friends 410
Fares:
cumulative penalties for collecting illegal 55, 58
on horse railroads in Brooklyn 171
Farhall *v.* Farhall 102
Federal courts, the laws delay in 22
Female criminals 209, 331, 361, 410
Field's International Code 84, 115
Fire communicated by locomotives 309, 341
Fisher *v.* The New York Central Railroad Co 55, 58
Fitzpatrick *v.* Hearne 73
Foreclosure by statute, notice to wife 352
Freight laws 209
French bar, address of M. Rousse 311
French "irritation" 301
French judicial reform 362
Frost *v.* Knight 152, 235
Future estates in lands 36, 50, 161

Garnsey *v.* Rogers 55
General term supreme court and the judges 7
General term, practice at 68
German case, queer 80
German witness 16
Gilbert *v.* Chapin considered 4
Gilpin, Chief Justice 32
Gordon, the claim of 329

PAGE.

Government employees 330, 339
Governor's message and legal amendments 7
Gowns, bags and 225
Grand jury system, abrogation of 24
Great Britain, judicature of 325
Gurney, Rt. Hon. Russell 228

Hamilton College 72
Hand-bills in newspapers 73
Head-note, curious 417
Highways, defects in 171
Historic example of charges against judges 181
History of the New York court of common pleas 277
Holmes, O. W., on lawyers 331
Horse railroad, fares on, in Brooklyn 171
Howard's Practice Rep., vol. xlii 223

Ice at railway station, injury to passenger by 120
Ignorant jurymen 54
Illegal acts, statute legalizing 42
Illegal contract, misrepresentation under 282
Illinois liquor law 54
Illinois rule of admission to bar 53
Immoral literature 227
Impeachment:
  court of 318
  in America, London *Law Journal* on 302
  of Judge Barnard 315, 331, 352
  trials 300
Imprisonment for debt 357
Increase of judges in Wisconsin 212
Infant, affidavit of age on enlisting 181
Informers in internal revenue cases 221
Injunction, violation of 182
Injunctions 193
Institutions, our 211
Insurance:
  countersigning policies 326
  difficult questions in 55
  marine 288, 305
International arbitration 169
International Code, Field's 84, 115
International copyright 40
International courtesy 193
Interrogation of prisoner's bill 109
Intrigues, directoral 211
Investigation of custom-house matters 41
"Issue," construction of, in wills 66
Issues, narrow 99

Jamison, Judge, and female suffrage 54
Joint-stock companies, etc., parties in actions by and against 19
Judges, increase of, in Wisconsin 212
Judges, selection of 54
Judges, the trial of 396
Judicature of Great Britain 325
Judiciary bills 177
Judiciary committee, report of investigation into charges of judicial misconduct 171
Judicial appointments in England 18
Juries in Russia 331
Juries of experts 227
Juries, trial of Mrs. Sherman and Hyde 285
Juror, death of 197
Jurors, disqualification of 81
Jurors, new law relating to 347
Jury, abrogation of grand 24
Jury of women to try plea of pregnancy 267
Jurymen and the newspapers 54

Kerosene, decision of court of appeals on 73

Labor, work and 165
Lady witness 31
Lands, future estates in 50, 36
Law a laborious profession 391
Law and order 99
Law apprenticeships 97
Law book firm, new 387
Law of clubs 226
Law reform, English, and legal education 61
Law reform in Virginia 90
Law reports in New York dailies 331
Law schools:
  Albany 319
  Boston 347
  Maryland, graduates of 397
Law schools and admissions to bar 54, 72
Law's delay in the Federal courts 22
Lawyers and magazine writers 291
Lawyers, Holmes on 331
Lawyers, our 326
Leach, Sir John, and his cases 30
Legacies, cumulative 29
Legal abuses, Wendell Phillips on 17, 33
Legal advertising 230
Legal advertising and the *Legal Intelligencer* 72
Legal amendments and governor's message 7
Legal business in England 101
Legal dialectics 293

PAGE.

Legal education and English law reform 61
Legal education, Sir Roundell Palmer on 126
Legal Intelligencer 72
Legal news 32, 64, 112, 128, 143, 160, 192, 208, 223, 240, 260, 275, 308, 339, 354, 388, 401
Legal obituaries 380, 401
Legal profession:
  in America and England compared 393
  in America, English view of 343, 357, 373
  in England and America 219
  in Scotland and United States 120
Legal tender act 40
Legal tender decision 41, 46, 111
Legislative patch-work 177
Legislature, compensation of members 317
Leonard, Judge, appointed to supreme court 319
Letter, contracts by 272
Letters of Junius, critical articles on 119
Library, State 391
Lien, mechanics' 15
Limited divorce 197
Liquor laws 284
Liquor laws of Illinois 54
Liquor laws of Wisconsin 230
Literature, immoral 227
Litigation, spirit of 411
Local aid to railways 204
Local prohibition 284
London *Law Journal* on impeachment in America 302
Lynch law 24

McCarthy, Mrs., trial of 330
McClure *v.* The Philadelphia, Wilmington & Baltimore Railroad Co. 13
McCunn, Judge 230, 319, 347, 393, 410
McElvain *v.* Mudd 73
McKean, Judge 246, 284
McNeal *v.* Tenth National Bank 41
Macaulay in court 44
Magazine writers and the lawyers 291
Manufacture and inspection of marine engines 213
Marine insurance 288, 305
Maritime law 288, 305
Marriages, uncanonical 265
Married women:
  disabilities of 228
  right to clothing, jewelry, etc 91
  rights and liabilities of 72
Marrying deceased wife's sister 246
Maryland law school, graduates of 397
Mayor Hall, trial of 170
Measure of distances 120
Mechanic's lien 15
Minister 302
Misrepresentation under legal contract 282
Mixed commission under treaty of Washington 90
Money, what is? 100
Moral law in divorce cases 267
Moreliet *v.* Cole 120
Mormon trials 101, 246, 284
Mortgage, deed absolute as 55
Morton *v.* Wylie 55
Municipal aid to railways 73
Municipal corporation, liability for injuries caused by defective streets 171
Municipal law, condition of 141
Murder trials, fascination of 90

Narrow issues 99
National Prison Association, report of 72
Naturalization 135
Navigable rivers, periodically 359, 407
Navigation laws 178
Negotiable instruments, *res gestæ* 298
Negligence, contributory 295
Net, the professional 63
New Eng. Mut. Ins. Co. *v.* Dunham 288, 305
New law book firm 387
New Hampshire Reports 317
New York court of common pleas, history of 277
New York judges 152, 171, 246
New York Reports publishing contracts, the old and new 47
New York Statutes at Large:
  abortions 202
  academies 420
  admission to bar 355
  agricultural and horticultural societies 224
  alienage, confirmation of title to real estate affected by 276, 356
  alien, marriage of American women with, descent of property to children of 240
  animals, preservation of 176, 403
  appeals from decisions of county superintendents of poor 371
  appropriation for maintenance of canals 224
  assessment and collection of taxes on farms or lots lying in two or more counties 356
  assistant district attorney 401
  associations:
    benevolent, charitable, literary, etc 403

New York Statutes at Large—Continued. PAGE.
associations, capital stock of. 404
park..... 323
attorneys, etc., admission to bar..... 355
bills of exceptions in criminal cases... 176
blind, institution for..... 402
canal expenses 224
charitable and benevolent institutions, trustees and directors of..... 371
children of American women married to aliens to inherit 240
clerks of boards of supervisors..... 144
collection of taxes, extension of time for..... 276
companies, gas-light..... 371
corporations empowered to hold real estate in other States 276
corporations, stock of..... 414
criminal cases, bills of exceptions in..... 176
deaf-mutes, care and education of 420
deposit fund 420
division and other fences 356
drainage 402
driving parks..... 404
driving park associations..... 323
education of deaf-mutes..... 420
election day a holiday 388
election laws 418
exceptions in criminal cases..... 176
excise law, moneys accruing from..... 276
extension of time for collection of taxes 128
farms lying in two or more counties, how assessed.. 356
fences, division and other..... 356
gas-light companies 371
highways, watering troughs in..... 340
holiday, election day a... 388
horse records 403
hospital, Ulster general 355
incorporation of villages..... 372
infant, sale of real estate by..... 388
insurance companies, town..... 323
jurors in New York..... 176
juvenile delinquents..... 240
lien, mechanic's 420
life insurance companies 371
mechanic's lien..... 420
military code..... 371
militia 371
moneys accruing from excise law 276
national guard 371
New York State institution for the blind 402
officers of the senate and assembly 143
parades 402
park associations 323
parks 404
partnership, limited..... 276
plank-roads..... 355
plank-road companies..... 322
preservation of animals..... 176, 403
processions..... 402
purchasers at surrogates' sales, protection of 223
railroads..... 275
records, horse, preservation of 403
religious societies..... 323
sale of real estate by infant 388
salt and salt springs 404
sheriff's fees..... 160
societies:
agricultural and horticultural 224
benevolent, charitable, literary, etc. 402
religious 323
special partner..... 276
special sessions, courts of 388
statues of eminent men..... 388
stenographer..... 240
stock of corporations..... 404
superintendents of poor..... 160
sup't of poor of county, appeal from decision of... 371
supervisors 325, 372
surrogates' sales, protection of purchasers at 223
taxes, extension of time for collection of 276
taxes on farms and lots divided by county lines..... 356
tax payers..... 292
title to lands, confirmation of, to citizens taking conveyance from aliens..... 276, 356
town and county accounts..... 323
town officers..... 323
town insurance companies 323
turnpikes..... 355
Ulster general hospital..... 355
villages, incorporation of..... 372
watering troughs in highways..... 340
wills..... 420
women married abroad, descent of property..... 240
New York *Times* on Judge McCunn's trial..... 393
Newspapers and jurors..... 54
Newspapers, hand-bills in..... 73
Nichols & Co., the defense of 34
Non-performance of contracts, condition excusing 271
notary public, application for office of, by women... 203
Notes and queries..... 31, 322
Notes of cases:
baggage 285, 319

Notes of cases—Continued. PAGE.
common carrier, liability for goods taken on attachment..... 332
contribution between wrong-doers 378, 394
exchange of notes, less for greater 378
fire communicated by locomotive, rule of damages, 412
fraudulent inception of promissory note 268
gift of bank-book..... 394
hotel keepers, liability of 320
Illinois Central Railway Co. *v.* Abell..... 267
interest in time of civil war 302
jury, mode of making up verdict 268
liability of common carrier beyond its line 348
mode of measuring distances..... 348
mortgagee of chattel not in possession..... 363
parol contracts for sale of land in Pennsylvania.... 394
passenger:
assault upon, by conductor..... 302
rights of, as to leaving cars.....267, 332
with "drover's ticket"—stopping over..... 411
promissory note:
bona fide holder..... 411
memorandum, conditional..... 285
what is not 348
railway company, liability for roadworthy vehicle, 363
removal of cause..... 246
Whiton *v.* The Chicago and Northwestern Railway, 246
Notice to wife in statute foreclosure..... 352
Novel question in criminal law..... 190

Oath, Chinese 285
Obiter dicta..... 8, 25, 42, 55, 74, 91, 102, 120, 136, 153
Obituary 380, 401
Official disabilities, governor's veto of act removing 90
Official positions and women..... 54
Official salaries..... 267
Old and new New York Reports publishing contracts... 47
Order, law and 90
Our books 65

Palace cars 346
Pardoning criminals..... 17
Pardoning power 78
Parker, Hon. A. J., compliment to 354
Paris, defective streets in..... 54
Parliament of man..... 120
Parsons, Chief Justice 32
Parties in actions by and against joint-stock companies, etc..... 19
Partnership agencies 264
Party processions..... 30
Passenger:
contract with railroad company by..... 13
contributory negligence in..... 170
injury to, by falling on ice at railway station..... 120
right of conductors to put off the cars..... 13
carriers of, in England..... 73
Peculiar binding 322
Penalties for collecting illegal fares, cumulative 55
Pennsylvania and the corporations..... 180
Pension claims and attorneys..... 42
People *ex rel.* Detroit, etc., R. R. Co. *v.* Township of Salem, 55
Periodically navigable rivers..... 407
Perley, Nathaniel 80
Philadelphia, Wilmington and Baltimore Railroad Co. *v.* McClure 13
Phillips, Wendell, on legal abuses..... 17, 33, 175
Physical conditions of crime..... 362
Place of making a contract 113
Pledgees of stock..... 41
Plymouth Colony, laws of..... 170
Poetical reports..... 353
Policies, countersigning..... 326
Pondrom *v.* Chicago and Alton R. R. Co..... 170
Postal regulations..... 241
Potter's Case, contested election..... 24, 74
Practice at general term..... 68
Practice in U. S. courts..... 330, 377, 385
Preliminary education to the study of law..... 129
Prescott, Wm..... 55
Prescription, user and title by..... 134
Prindle, Judge, case of..... 319, 347
Prison association, report of national 72
Prison discipline..... 40
Prisoners, bill for interrogation of..... 169
Prisoners, torture of..... 99
Processions, party..... 30
"Professional jurors" league..... 353
Professional net..... 63
Promise to marry, breach of..... 235
Protection of sailors..... 212
Proximate and remote damages..... 341
Publishing contracts of New York Reports, the old and new,... 47

Queries, notes and..... 31, 322

Railroad bills..... 229
Railroad bonds, decision of United States circuit court relating to..... 55
Railroad laws of State of New York, by McMaster, notice of..... 31

PAGE.

Railway corporations, guarantee of bonds of another road ... 302
Railways, liabilities for fires communicated by locomotives ... 309, 341
Railways, local aid to ... 731, 204
Ransom *v.* Pennsylvania R. R. Co ... 91
Real estate, acquisition, etc., of, by aliens ... 24
Redfield, Hon. Isaac F ... 239
Referees ... 245
Reform, judicial, in France ... 362
Religion in constitution of United States ... 72
Removal of causes ... 220, 329
Report of court of appeals ... 101
Reporter of court of appeals and supreme court ... 181
Reporting supreme court and court of appeals ... 89, 95
Reports Poetical ... 353
Reports and reporters, American ... 350, 376, 389
Resignation of Judge Cardozo ... 300
Resignation of Mr. Waterbury ... 196, 208
Revision of the statutes ... 98, 117, 142, 145, 196
Rights and liabilities of sureties ... 191
Rights of commercial travelers ... 6
Rights of women ... 42, 54, 265
Rivers periodically navigable ... 359
Rooke, Sir Giles ... 32
Ross's trusts, *in re* ... 135

Salaries, official ... 267, 411
Sandford, Mortimer, on future estates in lands ... 50, 36
Saratoga and the Court of Impeachment ... 346
Scire Facias ... 32
Scottish law ... 135
Scruples, unlawful ... 298
Secondary evidence ... 170
Selection of judges, system suggested by London *Economist* ... 54
Senate and house, difficulty between a tariff bill ... 213, 245
Shepard *v.* Midland Railroad Co ... 120
Ship commanders ... 377
Shylock *v.* Antonio ... 193, 197
Sir Roundell Palmer on legal education ... 126
Slaves, contracts in reference to ... 73, 283
Special legislation ... 7
Spencer Cowper's Case ... 261
State courts and United States courts ... 55
State library, The ... 391
State trials in France ... 213
Statutes, legalizing illegal acts ... 42
Statutes of limitation, constructive trusts ... 316
Statutes, revision of ... 117, 145
Statutory amendments ... 7
Stock, purchasers and pledgees of ... 41
Stokes, Edward S., trial of, postponed ... 362
Streams periodically navigable ... 407
Suits in the treasury department ... 32
Suits, the Westfield ... 264
Sailors' protection bill ... 212
Sunday traveling bill ... 115
Supreme Being and Constitution of United States ... 72
Supreme court and court of appeals reporting ... 95
Supreme court decisions ... 206, 320, 337, 399

PAGE.

Supreme court judges and general term ... 7
Sureties, rights and liabilities of ... 191

Talcott *v.* Township of Pine Grove ... 55
Tariff bill, disagreement on between houses of congress, 213
Tax on railroads and town bonds ... 196, 204
Taxable costs ... 147
Taxation, unconstitutional ... 210
Taylor *v.* City of Battle Creek ... 55
Temperance by statute ... 178
Terms distinct for civil and criminal cases ... 24
Tichborne case ... 170
Tichborne case, how it would have been managed in France ... 274
Title by user and prescription ... 134
Torture of prisoners ... 99
Town aid to railways ... 55, 73, 196, 204
Township of Salem *v.* R. R. Co ... 55
Transportation of live animals ... 181, 299
Travelers, rights of commercial ... 6
Treasury, report of solicitor of ... 32
Treatment of criminals ... 38
Treaty lawyers and the American case ... 281
Treaty-making functions ... 212
Trial by jury in Tennessee ... 120
Trials for murder, fascination of ... 90
Trial of the judges ... 396
Trochu, Gen., trial of ... 213, 228

Uncanonical marriages ... 265
Unconstitutional taxation ... 210
Unlawful scruples ... 298
United States *v.* Klein ... 90
United States statute, important ... 385
University of Music, bill for ... 197
User and prescription, title by ... 134
Usury code ... 228
Utah court and its proceedings ... 101

Virginia, law machinery of ... 90

Washington treaty ... 266, 318, 378
Waterbury, Mr., resignation of ... 196, 208
Wendell Phillips on legal abuses ... 17, 33
Westfield suits ... 264
Whipping-post ... 213
Will case at Richmond ... 189
Wills — construction of:
  conditions ... 145
    dying without issue ... 87
  extrinsic evidence of testator's intention ... 179
    general devises, trusts ... 263
    "issue" ... 66
  precatory trusts ... 420
  survivorship ... 130
Witness, eccentric German ... 16
Witness-box, women in the ... 31, 71
Women at bar in Illinois ... 229
Women and official positions ... 54
Woman's rights ... 42, 54, 265
Work and labor ... 165

INDEX TO ABSTRACTS AND DIGESTS.

PAGE.

Abandonment of domicile (Eng.) ... 28
Accounting, by tenant in common (Barb. N. Y.) ... 11, 12
Accused, right of to be present during prosecution (Ala.) 78
Action:
  against common carrier (Am. Rep.) ... 95
  election of (N. Y. Ct. App.) ... 57
  judgment in former suit when not a bar (Barb. N. Y.) 268
  last day of grace too soon to bring, on promissory note (Am. Rep.) ... 234
  mortgagor and mortgagee in case of trespass by third person (Am. Rep.) ... 416
  time for commencing (Barb. N. Y.) ... 174
  to set aside lease (Barb. N. Y.) ... 175
  who may sue in his own name on contract with carrier (Ala.) ... 76
Administrator:
  contracts of, liability on (N. Y. C. P.) ... 216
  personally liable, when (N. Y. Ct. App.) ... 74
Admiralty law:
  collision (Eng.) ... 156
  demurrage (Eng.) ... 156
  disbursements (Eng.) ... 28
  master (Eng.) ... 28
  measure of damages (Eng.) ... 156
  mercantile account (Eng.) ... 28
  objections to registrar's report (Eng.) ... 156
  priority of lien (Eng.) ... 28
  reference to registrar and merchants (Eng.) ... 156
  repairs (Eng.) ... 28
  ship's agent (Eng.) ... 28
  ship builder (Eng.) ... 28
  time and rate (Eng.) ... 156
  wages (Eng.) ... 28
Adverse possession (N. Y. Sup. Ct.) ... 106
Agency, agent competent witness to prove (Ala.) ... 76
Agent, payment to, binding on principal (Barb. N. Y.) ... 11
Alienage, paternal, when does not affect descent (N. Y. Sup. Ct.) ... 286
Alimony:
  amount (Barb. N. Y.) ... 174
  appeal from order granting (Barb. N. Y.) ... 174
  arrears, decree for (Barb. N. Y.) ... 174
  reference as to (Barb. N. Y.) ... 174
Appeal:
  compensation of counsel (N. Y. Ct. App.) ... 44
  conditional order not appealable (N. Y. Ct. App.) ... 57
  discretion of trial judge (N. Y. Ct. App.) ... 56
  effect of appeal from court of appeals to United States supreme court (Barb. N. Y.) ... 45
  erroneous rulings not excepted to, not appealable (N. Y. Ct. App.) ... 44
  from justice's court, what notice of to contain (N. Y. Sup. Ct.) ... 381
  judgment, when not reviewable (N. Y. Ct. App.) ... 93
  order relating to commissioners of assessment (N. Y. Sup. Ct.) ... 25
  order staying proceedings for contempt and forbidding appeal (N. Y. Ct. App.) ... 57
  order, when not appealable (N. Y. Sup. Ct.) ... 103
  refusal to set aside verdict as against weight of evidence, not reviewable (N. Y. Ct. App.) ... 92
  stay of proceedings, order granting not appealable (N. Y. C. P.) ... 215
  verdict of jury in conflicting evidence (N. Y. Sup. Ct.) 286
  waiving of objections to jurisdiction of court below does not confer jurisdiction on appellate court (N. Y. Ct. App.) ... 137
Arbitration:
  revocation by party to (N. Y. Ct. App.) ... 56
  what constitutes (N. Y. Ct. App.) ... 55, 56
Arrest and bail:
  action on undertaking (N. Y. Sup. Ct.) ... 381
  escape (Conn.) ... 349
Assault and battery, damages (Barb. N. Y.) ... 174
Assessments:
  by commissioners of Central Park, appeal from order confirming (N. Y. Sup. Ct.) ... 22
  farm in two towns (N. Y. Sup. Ct.) ... 247
  for benefits on railroad (Am. Rep.) ... 367
  order upon report, appeal from (Barb. N. Y.) ... 174
  report of commissioners (Barb. N. Y.) ... 174
  sales for (N. Y. Sup. Ct.) ... 335
Assignments:
  by infants for benefit of creditors (N. Y. Sup. Ct.) (Barb. N. Y.) ... 122, 268

Assignments — Continued. PAGE.
  equitable (N. Y. Sup. Ct.) ... 230
  of lease for life (Eng.) ... 303
  without consideration (N. Y. Sup. Ct.) ... 26
Association:
  duty of secretary of state as to filing papers on organization of (N. Y. Ct. App.) ... 57
  right of stockholders at election of officers (Am. Rep.) ... 138
  under act of 1851, ch. 45 (N. Y. C. P.) ... 200
Attachment:
  affidavit, what should contain (N. Y. Sup. Ct.) ... 121
  in marine court against residents of New York city, (N. Y. C. P.) ... 183
  pendency of suit in another State, no bar (Barb. N. Y.) ... 174
  premature and void, when (Ala.) ... 76
  prosecution of bond (N. Y. Sup. Ct.) ... 332
  return in case sheriff is prevented from removing all the property attached (Conn.) ... 348
  unrecorded deed prior to (N. Y. Sup. Ct.) ... 381
  usury (Am. Rep.) ... 93
Attorneys:
  lien of (Am. Rep.) (N. Y. Sup. Ct.) ... 367, 381
  sureties in undertaking (N. Y. Sup. Ct.) ... 105
Auction and auctioneers:
  expenses and commission (N. Y. C. P.) ... 215
  distress on goods after sale (Eng.) ... 306
  rent in arrears, liability of auctioneers to pay (Eng.) ... 306
Auction sale, advertisement (Am. Rep.) ... 93
Award, defense to action for non-performance of (N. Y. Sup. Ct.) ... 153

Baggage:
  checks (Am. Rep.) ... 94
  of passenger (Eng.) ... 28
Bail:
  murder, indictment for (Ala.) ... 76
  prisoner, presumption in relation to on application for (Ala.) ... 76
Bailment:
  action for converting pledge (Barb. N. Y.) ... 176
  liability of bailee for hire (Barb. N. Y.) ... 45
  lost goods (Conn.) ... 352
  pledgor's rights as against purchaser of pledgee (N. Y. Ct. App.) ... 43
  rights of bailor, how waived (N. Y. Ct. App.) ... 43
  sale of pledge by bailee without notice (N. Y. Ct. App.) ... 43
  statute of limitations in actions for conversion (Barb. N. Y.) ... 176
Banks:
  "debt" of, what is (N. Y. Sup. Ct.) ... 236
  dissolution of (Am. Rep.) ... 417
  receivers (N. Y. Sup. Ct.) ... 286
  rights of creditor (Am. Rep.) ... 417
  where to be sued (Am. Rep.) ... 188
Bankers and brokers (N. Y. Ct. App.) ... 43
Banking corporation, loan prohibited by statute valid as to creditors (Am. Rep.) ... 138
Bankruptcy law:
  assignment for benefit of creditors (Am. Rep.) ... 94
  certificate of discharge, when no defense to an action (Am. Rep.) ... 94
  concurrent jurisdiction (Am. Rep.) ... 94
  delay in appointing assignee (Am. Rep.) ... 367
  discharge, requisites of (N. Y. Sup. Ct.) ... 121
  effect of attachment previous to assignment (Conn.) 348
  effect of proceedings in bankruptcy on previous judgment (Am. Rep.) ... 367
  factor or commission merchant (Am. Rep.) ... 367
  fraud (Am. Rep.) ... 417
  knowledge of insolvency, what is (N. Y. Sup. Ct.) ... 365
  mechanics' lien (Am. Rep.) ... 367
  mortgage (N. Y. Ct. App.) (Am. Rep.) ... 57, 94, 367
  omission from schedule (Am. Rep.) ... 94
  payment to bankrupt (Am. Rep.) ... 94
  sureties in attachment bond (Am. Rep.) ... 94
  when does not vitiate decree (Ala.) ... 76
Barratry (Am. Rep.) ... 367
Bills and notes:
  accepting bill of third person for debt (N. Y. Ct. App.) 92
  bill drawn to order of a "cashier" (Am. Rep.) ... 367
  draft, mere acceptance of does not imply consideration (N. Y. Ct. App.) ... 92

Bills and notes — Continued. PAGE.
- draft payable out of a fund (N. Y. Ct. App.) 92
- laches (Am. Rep.) 139
- lost draft (Am. Rep.) 137
- rate of exchange (Am. Rep.) 367
- services as consideration (N. Y. Ct. App.) ..... 136 (see *Promissory Note.*)

Bills of exchange:
- acceptance (Eng.) 156
- acceptor, when not liable for damages (Ala.) 76
- accommodation bills (Eng.) 156
- discharge of surety (Eng.) 156
- evidence of residence of party to be charged (Ala.). 76
- principal and surety (Eng.) 156
- residence of party to be charged (Ala.) 76
- signatures, when may be considered that of indorser, guarantor or acceptor, supra protest (Ala.) 76

Boarding-house keepers not within act of April 23, 1867 (N. Y. C. P.) 184

Bona fide purchaser (Am. Rep.) 94

Bond (N. Y. Ct. App.) 43

Bonds:
- failure to file does not, *ipso facto*, vacate office (Ala.) 76
- negotiability of county bonds (N. Y. Sup. Ct.) 123

Boundary line (Am. Rep.) 367

Bridges, streams dividing towns, liability of respective towns (N. Y. Sup. Ct.) 153

Broker:
- commissions, when entitled to (N. Y. Sup. Ct.) (N. Y. C. P.) 25, 172
- construction of factor act (N. Y. C. P.) 197
- goods to be of fair quality in opinion of seller (Eng.) 28
- opinion of (Eng.) ..... 28 (see *Factor and Broker.*)

Building contracts (N. Y. C. P.) 8

Canal contractor, liability for negligence (N. Y. Sup. Ct.) 9

Canal, contributory negligence in navigating (N. Y. Ct. App.) 92

Careless use of fire-arms (Am. Rep.) 366

Cases distinguished (N. Y. C. P.) 202

Cases reviewed (N. Y. Sup. Ct.) 105, 336

Cemetery association:
- lands held by (N. Y. Ct. App.) 93
- liable for local taxes (N. Y. Ct. App.) 93

Certiorari:
- proper party as relator (N. Y. Sup. Ct.) 154
- return (N. Y. Sup. Ct.) 287
- who can review by (N. Y. Sup. Ct.) 287

Certificate of deposit (Am. Rep.) 368

Charge to jury — evidence chiefly circumstantial (Ala.) 77

Church, jurisdiction of courts over (N. Y. Sup. Ct.) 108

Common carrier:
- baggage (Am. Rep.) 368
- commutation ticket (Am. Rep.) 367
- condition, against liability, in receipt (Am. Rep.) 95
- consignee (Ala.) 27
- damages (N. Y. Ct. App.) (Am. Rep.) 74, 94
- duty to promptly transport goods (N. Y. Ct. App.) 74
- effect of receipt (Am. Rep.) 364, 368
- emission of sparks from engine (Am. Rep.) 95
- evidence of negligence (Am. Rep.) 95
- express companies (Ala.) 77
- general notice limiting liability (Ala.) 77
- jettison (Am. Rep.) 368
- liability, general notice in relation to (Ala.) 77
- liability under special contract, construction of (Ala.) (Barb. N.Y.) 77, 174
- measure of damages (N. Y. Ct. App.) 56
- passenger injured while riding on free pass (Am. Rep.) 94
- presumption of ownership *prima facie*, and may be rebutted (Ala.) 77
- printed receipt limiting liability (Ala.) 77
- remedy of shipper (Am. Rep.) 94
- responsibility for roadworthy vehicle (Am. Rep.) ... 95
- statement of value of package, when deemed waived (Ala.) 77
- stipulation against liability (N. Y. Ct. App.) (Am. Rep.) (Ala.) 74, 77, 95
- storage of goods by agreement of consignee (Am. Rep.) 368
- through freight lien of last carrier or warehouseman (Am. Rep.) 44
- transportation of animals (Am. Rep.) 368
- tow-boats or tugs in Pennsylvania, (Am. Rep.) 95
- who may sue in his own name in contract with (Ala.) 77

Common council of city, powers of, in reference to railways (N. Y. Ct. App.) 93

Common schools, appeal to county judge from district meetings (Barb. N. Y.) 45

Compensation of counsel (N. Y. Ct. App.) 44

Complaint, dismissal of, by general term (N.Y. Ct. App.) 43

Conditional sale (Am. Rep.) 110

Confederate government — judgments rendered during war by rebel courts, effect of (Ala.) 77

Confederate money:
- bills of credit within meaning of U. S. constitution and void (Ala.) 77
- promissory note for loan of, void (Ala.) 77

Confederate treasury notes as consideration of promissory note (Ala.) 76

PAGE.

Consignee of goods only *prima facie* owner (Ala.) 77

Constitutional law:
- act of 1871, chapter 59, declared unconstitutional (N. Y. Sup. Ct.) 109
- act of congress of 1864, chapter 173, section 94, constitutional (Am. Rep.) 110
- act of Massachusetts legislature of June, 1868, concerning taxing of bank shares, constitutional (Am. Rep.) 110
- accused, right of to be present during prosecution (Ala.) 78
- assessments (N. Y. Sup. Ct.) 106
- charter of railway (Am. Rep.) 369
- confederate treasury notes as bills of credit (Ala.) .. 77
- double trial (Ala.) 77
- eminent domain (Am. Rep.) 369
- floating saw-logs in Susquehanna river (Am. Rep.) ... 110
- forfeiture (Am. Rep.) 139
- impairing the obligation of contracts (Am. Rep.) ... 368
- improvement of streets, city charter (Am. Rep.) 110
- municipal aid to railroads (Am. Rep.) 110
- perpetual uses and taxation (Am. Rep.) 368
- registry law (Am. Rep.) 369
- removal of causes (Am. Rep.) 110
- statute granting special divorce (Am. Rep.) 369
- tax deed (Am. Rep.) 369
- taxation in aid of railways (Am. Rep.) 369
- what does not impair right of debtor to select exempt property (Ala.) 78

Construction of statutes (N. Y. Ct. App.) 137
- drainage act (N. Y. Sup. Ct.) 382
- of United States for removal of causes (N. Y. C. P.), 8

Construction of will:
- devising clause (Barb. N. Y.) 12
- partition under (Barb. N. Y.) 11
- "time of executing" (Barb. N. Y.) 12

Contempt, order staying proceedings for and forbidding appeal (N. Y. Ct. App.) 57

Contempt, right to hearing of party in (N. Y. Ct. App.).. 57

Contempt — witness (Am. Rep.) 369

Contractor:
- canal, liability for negligence (N. Y. Sup. Ct.) 9
- street, responsibility of (N. Y. Sup. Ct.) 333

Contracts:
- acceptance of offer, what is not (N. Y. Ct. App.) 56
- action for purchase price of goods (N. Y. Sup. Ct.) .. 11
- admissibility of parol evidence (N. Y. Sup. Ct.) 103
- against public policy (Am. Rep.) 110
- assignment without consideration (N. Y. Sup. Ct.) .. 26
- assignment of — personal services (N. Y. Sup. Ct.) ... 198
- between officers of a corporation and contractors with the corporation (N. Y. Sup. Ct.) 332
- against public policy, when (Am. Rep.) 110
- building (N. Y. C. P.) 8
- consideration (N. Y. Sup. Ct.) 103
- construction of (N. Y. Sup. Ct.) (N. Y. Ct. App.) 44, 103, 436
- dissolution of partnership, construction of (N. Y. Ct. App.) 75
- duress, effect of (N. Y. C. P.) 198
- during civil war (Am. Rep.) 234
- evidence (N. Y. Sup. Ct.) 333
- executory (N. Y. Sup. Ct.) 154
- forbidden by statute (Am. Rep.) 111
- for personal service, when not assignable (N. Y. C. P.) 198
- for service, weekly hiring (Eng.) 397
- *lex fori* (Am. Rep.) 369
- *lex loci* (Am. Rep.) 369
- "meeting of minds" (Am. Rep.) 416
- not to bid at foreclosure sale, void (N. Y. Ct. App.) 74
- parol evidence to vary (Eng.) 397
- party not excused by subsequent event, rendering enjoyment impossible (N. Y. C. P.) 172
- payable in gold (Am. Rep.) 139
- presumption of payment (N. Y. Ct. App.) 92
- purchase price of goods, actions for (N. Y. Sup. Ct.) 11
- purchase price of slaves (Am. Rep.) 369
- rescission after part performance (N. Y. Sup. Ct.) 156
- sale and delivery, implied conditions (N. Y. Ct. App.) 136
- sale of cargo "expected to arrive" (Eng.) 302
- to operate in stock for the purpose of making a corner, when invalid (Am. Rep.) 111
- to receive a less sum than due in full payment void (N. Y. Ct. App.) 74
- to secure pardon of an offender when valid (Am. Rep.) 111
- to share profits of award (Am. Rep.) 111
- variance (N. Y. Sup. Ct.) 103
- violation of president's proclamation prohibiting commercial intercourse during civil war (Am. Rep.) 111
- void as against public policy (N. Y. Sup. Ct.) 154
- void conditions (N. Y. Sup. Ct.) 287
- waiver of breach of (N. Y. Sup. Ct.) 123
- waiver of strict performance (Barb. N. Y.) 270
- when severable (N. Y. Sup. Ct.) 123

Contribution between wrong-doers (Conn.) (N. Y. C. P.) 208, 349

Contributory negligence in navigating canal (N. Y. Ct. App.) 92

Conversion:
- action by husband for goods taken by absconding wife (N. Y. Sup. Ct.) 121

Conversion — Continued. PAGE.
assent of owner (N. Y. C. P.) 216
bona fide receiver of stolen bonds (Am. Rep.) 138
consistency of pleadings (N. Y. C. P.) 173
intermixture (N. Y. Sup. Ct.) 381
machinery attached to freehold (Conn.) 351
measure of damages (N. Y. Sup. Ct.) 121
property left with employee of innkeepers (N. Y. Sup. Ct.) 106
Conveyance:
crops (Am. Rep.) 369
effect of voluntary, by father to child (Am. Rep.) 369
general (Am. Rep.) 138
in trust (N. Y. Sup. Ct.) 248
Corporations:
capital stock, *res adjudicata* (N. Y. C. P.) 216
charter, forfeited by non-user (N. Y. Sup. Ct.) 287
damages arising from acts of (Barb. N. Y.) 175
devise to infidel society (Am. Rep.) 252
filing papers (N. Y. Ct. App.) 56
forfeiture for non-user (Barb. N. Y.) 175
individual liability of trustees of (N. Y. Sup. Ct.) 250
leases executed by (Barb. N. Y.) 175
liability for acts of agents in case of negligence (Barb. N. Y.) 175
measure of damages for neglecting to organize (N. Y. C. P.) 218
organization of (N. Y. Ct. App.) 56
penalties (Am. Rep.) 189
president, power of (Conn.) 349
secretary of state, duty of as to filing papers (N. Y. Ct. App.) 56
stockholder in, action against, when demurrer will not lie (N. Y. Ct. App.) 93
trade-mark (Conn.) 349
Costs:
consolidated cases (N. Y. Ct. App.) 137
on appeal from county court (N. Y. Sup. Ct.) 248
on appeal from marine court (N. Y. C. P.) 173
to defendant (N. Y. Ct. App.) (N. Y. Sup. Ct.) 92, 104
Counter claim and payment (N. Y. Ct. App.) 92
Criminal law:
a charge to the jury restricting the finding to any degree of homicide is erroneous (N. Y. Sup. Ct) 104
certiorari, what it brings up (N. Y. Sup. Ct.) 122
forged instrument must be produced or accounted for (Ala.) 78
forgery, what agent is competent to prove in prosecution for (Ala.) 78
indictment (Barb. N. Y.) 175
right of accused to be present during prosecution (Ala.) 78
trade-mark (N. Y. Ct. App.) 43
voluntary killing of one flying from arrest, when murder (Ala.) 78
writ of error, return to, what to contain (N. Y. Sup. Ct.) 107
Crops, on conveyance of freehold (Am. Rep.) 369

Damages:
feasant (N. Y. Sup. Ct.) 382
injuries resulting from two independent causes (Eng.) 303
not recoverable beyond amount claimed in complaint (N. Y. Sup. Ct.) 248
remoteness (Eng.) 303
Day's work (Conn.) 349
Deed:
absolute as mortgage (N. Y. Ct. App.) 57
attestation (Am. Rep.) 369
covenant to stand seized, when (Am. Rep.) 138
description of premises (Conn) 349
escheat (Am. Rep.) 369
false description (Am. Rep.) 369
grantee's rights (Am. Rep.) 138
purchaser, what chargeable with notice of (Ala.) 78
reformation of (Barb. N. Y.) 45
under agreement to sell land (Am. Rep.) 369
void deed, effect of (Barb. N. Y.) 176
Defenses, pendency of action (N. Y. Sup. Ct.) 26
Discovery of books, etc. (N. Y. Sup. Ct.) 105
Discretion of trial judges not reviewable (N. Y. Ct. App.) 56
Distress, of animals damage feasant (N. Y. Sup. Ct.) 382
Domicile:
abandonment of (Eng.) 28
birth (Eng.) 28
with (Eng.) 28
intention to change, how manifested (Eng.) 157
Dower:
admeasurement (N. Y. Sup. Ct.) 124
mortgaged land 140
widow's rights, notwithstanding action for partition (N. Y. Sup. Ct.) 124
Drainage (N. Y. Sup. Ct.) 382

Easement (Am. Rep.) 370
Ejectment:
equitable defense (Barb. N. Y.) 45
reformation of deed (Barb. N. Y.) 45
Election:
of actions (N. Y. Ct. App.) 57
of officers of joint-stock company (Am. Rep.) 138
Emancipation (Am. Rep.) 370

PAGE.
Embezzlement (N. Y. Sup. Ct.) 124
Escape (Conn.) 349
Estoppel:
lessee (N. Y. Sup. Ct.)
res adjudicata (N. Y. C. P.) 173
Equity, jurisdiction of court (N. Y. Sup. Ct.) 382
Evidence:
action for false imprisonment (N. Y. Ct. App.) 75
admissions of partner after dissolution of partnership (N. Y. Sup. Ct.) 333
as to measure of damages (N. Y. Sup. Ct.) 10
breach of warranty to prove (N. Y. Ct. App.) 92
broken rail (Am. Rep.) 370
certified copy of deed (Am. Rep.) 139
competency of witness (N. Y. Sup. Ct.) 124
consideration (N. Y. Ct. App.) 137
cumulative (N. Y. Ct. App.) 137
custom (N. Y. Sup. Ct.) 334
custom of trade (Eng.) 303
declaration of parties (N. Y. Sup. Ct.) 105
declarations and admissions (N. Y. Ct. App.) 56
dissolution of partnership (N. Y. Ct. App.) 92
exception (N. Y. Ct. App.) 137
exclusion of (N. Y. Sup. Ct.) 333
expert (N. Y. Ct. App.), (N. Y. Sup. Ct.) 137, 288
foreign law (Am. Rep.) 384
in action by *bona fide* holder of note (Am. Rep.) 370
indecent assault (Eng.) 157
intention (N. Y. Sup. Ct.) 287
in malpractice (N. Y. Ct. App.) 137
in replevin suit (N. Y. Sup. Ct.) 27
interpreter (Am. Rep.) 370
letter-press copy of letter (Conn.) (Am. Rep.), 139, 350, 370
letters of administration (N. Y. Ct. App.) 137
of correspondent broken (Am. Rep.) 139
"machinery" (N. Y. Sup. Ct.) 288
microscopic test (N. Y. Sup. Ct.) 26
new trial (N. Y. Ct. App.) 43
objections to (N. Y. Ct. App) 43
offer of (N. Y. Ct. App.) 43
of act of legislature changed in engrossing, when inadmissible (Am. Rep.) 139
of delivery of goods (N. Y. Sup. Ct.) 248
of husband and wife, in action for limited divorce (N. Y. C. P.) 173
of ownership under mechanics' lien law (N. Y. Sup. Ct.) 333
opinion of experts (N. Y. C. P.) 203
parol evidence in case of fraud in the execution of a lease (N. Y. Sup. Ct.) 105
parol evidence, when admissible (Am. Rep.) 139
pleadings in evidence (N. Y. C. P.) 173
practice (N. Y. Ct. App.) 43
presumption against suicide (N. Y. Ct. App.) 92
of fair dealing (N. Y. Ct. App.) 137
proof must sustain verdict (N. Y. Sup. Ct.) 121
rejection of, as to consideration of bond (N. Y. Ct. App.) 43
transcript of recorded instrument (N. Y. Ct. App.) 137
under general denial (N. Y. C. P.) 199
unstamped instrument (Am. Rep.) 370
use of microscopic test (N. Y. Sup. Ct.) 26
value, *pretium affectionis* (N. Y. C. P.) 198
weight of, appeal from order of special or general term (N. Y. Ct. App.) 92
what sufficient to go to jury (N. Y. Ct. App.) 43
Examination of parties before trial (N. Y. Sup. Ct.) 105
Execution, estate of deceased judgment debtor (N. Y. Sup. Ct.) 105
Executors and administrators; proceeds of sale of real estate of decedent (N. Y. Sup. Ct.) 305
Executory agreement (N. Y. Sup. Ct.) 154
Exempt property (Ala.) 78
Eviction (Am. Rep.) 384

Factor and broker:
duty to obey orders of principal (Conn.) 350
sales of commission goods (Am. Rep.) 367
False imprisonment:
assistant of sheriff in making arrest (N. Y. Sup. Ct.), 125
justification (N. Y. Sup. Ct.) 186
proof of want of probable cause and malice in action for (N. Y. Ct. App.) 75
what constitutes (N. Y. Sup. Ct.) (Am. Rep.) 107, 139
False pretenses (N. Y. Sup. Ct.) 249
Fares, illegal collection of, by railroad (N. Y. Ct. App.) 58
Foreclosure suit, parties to (Barb. N. Y.) (N. Y. Ct. App.) 45, 57
Foreign law (Am. Rep.) 384
Former suit, judgment in, when not a bar to a subsequent suit (Barb. N. Y.) 208
Fraudulent conveyance (N. Y. Sup. Ct.) (Conn.) 287, 350
Fraudulent representations, assignment of claim against United States (N. Y. C. P.) 216

General average; ship and shipping (Eng.) 303
Gift:
savings-bank book (Am. Rep.) 384
deposits in savings bank (Am. Rep.) 139
what is perfected gift (Am. Rep.) 139

PAGE.

Gold contracts (Am. Rep.) 179
Guaranty (N. Y. Sup. Ct.) 27

Habeas corpus, notice in (N. Y. C. P.) (N. Y. Sup. Ct.) 217, 249
Highway:
action against surveyor (Am. Rep.) 384
adjacent land-owner (N. Y. Sup. Ct.) 336
closing of (N. Y. C. P.) 213, 214
fast driving (Am. Rep.) 384
frightful objects in (Am. Rep.) 140
intention to dedicate (Am. Rep.) 139
land bordering on (Conn.) 349
obstruction, action for (N. Y. Sup. Ct.) 121
responsibility of street contractor (N. Y. Sup. Ct.) .. 333
rule of liability in case of the formation of ice (Am. Rep.) 140
water commissioners of Brooklyn, power of (N. Y. Sup. Ct.) 337
Husband and Wife:
agency (N. Y. Sup. Ct.) 334
dower in mortgaged lands (Am. Rep.) 140
joint action for personal injuries to wife (Am. Rep.). 415
joint liability for conversion by wife (Am. Rep.) 140
necessaries to wife (N. Y. C. P.) 200
post-nuptial settlements (Barb. N. Y.) 45
purchase of goods by wife in her own name (Am. Rep.) 384
voluntary deed (Am. Rep.) 384
wife not a "relation" (Am. Rep.) 140
wife's personal estate (Barb. N. Y.) 45
witness for or against each other (N. Y. C. P.) 182

Indecent assault (Eng.) 157
Infants:
contract of, how affirmed on becoming of age (Am. Rep.) 140
enlistment of, power of State courts (Am. Rep.) 187
stolen property (Am. Rep.) 384
Infection (Am. Rep.) 384
Innkeeper:
liability for property left with employee (N. Y. Sup. Ct.) 106
money packages, liability for (Am. Rep.) 384
property stolen from room of guest, liability for 140
Insane person, deed by (N. Y. Sup. Ct.) 26
Insolvency:
discharge of debts not stated in petition (N. Y. Sup. Ct.) 27
effect of discharge of insolvent on debts not stated in petition (N. Y. Sup. Ct.) 27
insolvent debtor (Barb. N. Y.) 176
non-residence (Eng.) 397
Insolvent's estate, fraudulent conveyance (Am. Rep.) .. 140
Inspectors of election, malice necessary to liability to a person for refusing his vote (N. Y. Sup. Ct.) 186
Insurance:
act of agent binding on company (Am. Rep.) ... 397, 398
adjudication in bankruptcy, effect of (N. Y. Sup. Ct.) 108
application, incumbrance on property (N. Y. Sup. Ct.) 10
application, when part of the contract (Barb. N. Y.) 11
assent to assignment of policy (N. Y. Sup. Ct.) 334
assignability of life insurance (Am. Rep.) 398
assignee, rights of (Am. Rep.) 398
assignment of premises (Am. Rep.) 141
by married women, on her property acquired before coverture (Am. Rep.) 398
by mortgagor (Am. Rep.) 398
company liable for agent's acts, when (Am. Rep.) 141
construction of policy (N. Y. Sup. Ct.) (Am. Rep.) 107, 146, 158
construction of words in application, when for jury (Am. Rep.) 397
countersigning policy (Am. Rep.) 398
covenant in application, when a warranty (Barb. N. Y.) 11
distribution of proceeds of life insurance (Am. Rep.) 398
effect of civil war on payment of premiums (Am. Rep.) 159
further insurance (N. Y. Sup. Ct.) 107
fraudulent concealment by applicant for life insurance (N. Y. Ct. App.) 92
fraudulent representation (N. Y. C. P.) 199
forfeiture clause (Am. Rep.) 159
incumbrance on property insured (N. Y. Sup. Ct.) ... 10
indorsements on policy by company (Am. Rep.) 397
interest of insured (Am. Rep.) 141
"kerosene," quality of (N. Y. Ct. App.) 56
lien of policy (Am. Rep.) 158
loss of distant property occurring before date of policy (Am. Rep.) 158
marine policy, construction of (Eng.) 157
misrepresentation (Eng.) 304
mistake in name or character of assured (Am. Rep.) 398
mortgage of insured property (Am. Rep.) 398
oral contract for (Am. Rep.) 158
parol contract of (Am. Rep.) 398
payment of premiums (Am. Rep.) 141
presumption against suicide (N. Y. Ct. App.) 92

Insurance — Continued. PAGE.
prohibition on marine policy (Am. Rep.) 159
reference, when to be ordered (N. Y. Sup. Ct.) 337
remittance of premium by mail (Am. Rep.) 397
revocation of agency (N. Y. Sup. Ct.) 288
special agreement with agent (N. Y. Sup. Ct.) 107
statement, materiality of (Barb. N. Y.) 11
statement of loss (Am. Rep.) 397
subrogation (N. Y. Ct. App.) (Am. Rep.) 56, 141, 158
suicide, death by (Am. Rep.) 159
transfer of property insured (N. Y. Sup. Ct.) 108
time of payment of premium, usage (Am. Rep.) 399
"transfer or change," what is within meaning of prohibitory clause (Am. Rep.) 158
vendor and vendee of insured property (N. Y. Ct. App.) 56
verbal contract of (Am. Rep.) 397
warranty (N. Y. C. P.) (Barb. N. Y.) 11, 199
what constitutes part of the journey in accident policy (Am. Rep.) 140
Interest:
after payment of principal (Barb. N. Y.) 269
in actions *ex delicto* (N. Y. C. P.) 203
on payment of subscription to stock before call (N. Y. Sup. Ct.) 125

Judgment of county court, on filing transcript from justice's docket, how set aside and provided (N. Y. Sup. Ct.) 125
Judgment rendered by Confederate courts during war, effect of (Ala.) 77
Jurisdiction:
conflict of (Am. Rep.) 399
habeas corpus (N. Y. C. P.) 217
justice's court in action of replevin (N. Y. Sup. Ct.) 250
minor who has enlisted (Am. Rep.) 187
oyer and terminer (N. Y. C. P.) 217
petit larceny under laws of 1870, ch. 47 (N. Y. Sup. Ct.) 249
prisoners held within State by U. S. authorities (Am. Rep.) 187
Jury:
juror not incompetent because he is witness (Ala.) .. 78
panel, when should be quashed (Ala.) 78
Justice's court:
undertaking in (N. Y. Sup. Ct.) 126

Landlord and Tenant:
assignment of lease (Eng.) 304
assignee of lease, liability of (N. Y. C. P.) 199
covenant against subletting (N. Y. Ct. App.) 56
covenant in lease, construction of (N. Y. C. P.) 183
lease for one year with privilege of three (Am. Rep.) 399
messuage leased to farm laborer during service (N. Y. Sup. Ct.) 108
nature of tenancy (N. Y. Sup Ct.) 108
obligations of tenants (N. Y. C. P.) 183
restriction to particular trade (Eng.) 397
quiet enjoyment (Eng.) 397
summary proceedings (N. Y. C. P.) 200
surrender of lease (N. Y. Sup. Ct.) 232
tenant liable to third persons for injuries caused by defect in sidewalk (Am. Rep.) 399
waiver of forfeiture under covenant against subletting (N. Y. Ct. App.) 56
waste, surrender (N. Y. Sup. Ct.) 10
Larceny:
finder of lost bank-note (Eng.) 157
mis-direction to jury (Eng.) 157
petit as first offense, under laws of 1870, ch. 47 (N. Y. Sup. Ct.) 249
Libel:
court charging alleged statement to be libelous (Am. Rep.) 187
criticism on title given to a manufacturer (Eng.) 28
functions of court and jury (Eng.) 28
manufactured articles, criticism on title of (Eng.) ... 28
Lien:
assignment of mechanics' (N. Y. Sup. Ct.) 231, 288
of attorney (Am. Rep.) (N. Y. Sup. Ct.) 367, 381
for freight, when tender is not necessary (N. Y. C. P.) 217
for repairs of canal boat by shipwright (N. Y. Sup. Ct.) 154
maritime, State statute enforcing constitutionality of (Am. Rep.) 187
maritime, vessel in process of construction (Am. Rep.) 187
warehouseman's, on through freight (Am. Rep.) ... 94
Lunatic: power of committee (Am. Rep.) 187

Malice and probable cause (N. Y. Ct. App.) (Am. Rep.) 75, 415
probable cause (N. Y. Sup. Ct.) 155
Malicious prosecution:
acquittal (Am. Rep.) 415
Malpractice (N. Y. Ct. App.) 137
Marine court, jurisdiction of (N. Y. Ct. App.) 137
Marriage and divorce:
abandonment (Am. Rep.) 370
ancillary decree of divorce (Am. Rep.) 384
cohabitation (Ala.) 78

Marriage and divorce—Continued. PAGE.
cruelty, as ground of divorce, what sufficient (Ala.). 78
fear of imprisonment, marriage contracted through when not void (Ala.) 78
impossibility of "consummation," ground for divorce (Eng.) 157
organic defect of wife ground for divorce (Am. Rep.) 138
peril to wife, when divorce will be granted for (Ala.) 78
Married women:
actions and judgments against (Barb. N. Y.) 269
capacity to sue and be sued (Barb. N. Y.) 269
power to contract (Barb. N. Y.) 269
right of action against (N. Y. Sup. Ct.) 125
right to earnings (Barb. N. Y.) 269
suit by for personal injuries (Am. Rep.) 415
Master and servant:
day's work (Conn.) 349
factory boy (Am. Rep.) 187
injury received by one servant from another (N. Y. Sup. Ct.) 335
injury to servant of one master while in the temporary employ of another (Am. Rep.) 416
leaving service without notice to master (Am. Rep.) 416
liability of master for injury to co-servant (N. Y. Sup. Ct.) 335
liability of master for servant's criminal act (Am. Rep.) 188
railway employee (Am. Rep.) 187, 415, 416
railway employee, injury to by co-servant (N. Y. Sup. Ct.) 383
two masters, question of liability (Am. Rep.) 416
Measure of damages:
contract for sale of land (Am. Rep.) 416
with common carrier (N. Y. Ct. App.) 56
conversion (N. Y. Sup. Ct.) 121
evidence (N. Y. Sup. Ct.) 10
failure to supply water granted (N. Y. Ct. App.) 56
for occupation of real estate (N. Y. Sup Ct.) 27
neglect to organize corporations for which stock is subscribed (N. Y. C. P.) 218
pretium affectionis (N. Y. C. P.) 198
sale and delivery (N. Y. Sup. Ct.) 10
seduction under promise of marriage (Am. Rep.) 251
supposed errors of jury in assessing not reversable (N. Y. Ct. App.) 56
warranty (Conn.) 352
Misdemeanors, voluntary killing of one flying from arrest for, is murder (Ala.) 48
Mistake (Am. Rep.) 188, 416
Mortgage:
absolute deed intended as security (N. Y. Ct. App.) 57
alteration of (N. Y. Sup. Ct.) 148
assumption of payment of prior incumbrance by grantee in deed intended as mortgage, not available to holder of prior lien (N. Y. Ct. App.) 57
bankrupt law (N. Y. Ct. App.) 57
deed when mortgage (N. Y. Ct. App.) 57
equity of redemption (N.Y.Ct.App.) (N.Y. Sup. Ct.) 57, 104
foreclosure (N. Y. Ct. App.) 757; (N. Y. Sup. Ct.) 334
holder of prior lien (N. Y. Ct. App.) 57
mortgagee in possession (Am. Rep.) 188
neglect to make owner of equity of redemption a party to suit in foreclosure (N. Y. Ct. App.) 57
parol evidence as to design of parties (Am. Rep.) 416
payment of prior incumbrances assumed by grantee of deed intended as mortgage (N. Y. Ct. App.) 57
prior incumbrances (N. Y. Ct. App.) 57
purchaser's equity of redemption (N. Y. Ct. App.) 57
Mortgagor and mortgagee, who to sue in case of trespass (Am. Rep.) 416
Municipal corporations:
bridge carried away by freshet (Am. Rep.) 188
drainage of lands (Am. Rep.) 188
excavation in public place (Am. Rep.) 188
highway, defects in (Am. Rep.) 416
liability where ice is formed on sidewalks (Am. Rep.) 140
neglect of duty (Conn.) 351
New York city; act of 1871, chapter 583 (N. Y. C. P.) 218
public squares (Am. Rep.) 416
supervisors changing highway (Am. Rep.) 188

National Bank, payment of deposit to bankrupt (Am. Rep.) 94
Negligence:
contributory (N. Y. Sup. Ct.) (N. Y. C. P.) 184, 288
croton water, damage by (N. Y. C. P.) 201
ice on a railway platform causing injury to passenger (Eng.) 157
in railroad company when presumed (N. Y. Ct. App.) 75
injuries to child nineteen months old by railroad (Am. Rep.) 234
injury while saving child from death by locomotive (Am. Rep.) 189
ordinary behavior of railway passenger (Eng.) 157
liability of canal contractor for (N. Y. Sup. Ct.) 9
liability of house owner for injuries to passer on street (Am. Rep.) 188
navigating canals, what is not contributory (N. Y. Ct. App.) 92
passenger on railway who pays no fare (N. Y. Sup. Ct.) 335

Negligence—Continued. PAGE.
pilot (Am. Rep.) 189
street car (N. Y. Sup. Ct.) 334
street car, injury to passenger by, contributory (N. Y. C. P.) 201
transportation of animals (Eng.) 304
unloading merchandise in streets (Am. Rep.) 188
New trial:
on ground of surprise and newly-discovered evidence (N. Y. Ct. App.) 43
order denying, when not appealable (N. Y. Ct. App.) 44
Nonsuit, practice in case of (Barb. N. Y.) 11
Notary public, proof of protest (N. Y. Sup. Ct.) 223
Nuisance, existence of, in a boarding house (N. Y. C. P.) 184

Obligation (Barb. N. Y.) 269
Official bonds, failure to file (Ala.) 76
Office (Am. Rep.) 417
Officer de facto (Am. Rep.) 417
Oyer and terminer; arrest and bail (N. Y. C. P.) 217

Parent and child; mother may sue for services of minor child (N. Y. Sup. Ct.) 121
Partnership:
admission of partner after dissolution (N. Y. Sup. Ct.) (Am. Rep.) 383, 417
contract of (N. Y. Sup. Ct.) 27
contract for dissolution of, construction of (N. Y. Ct. App.) 75
damages for breach of articles of copartnership (N. Y. Sup. Ct.) 185
death of partners (N. Y. Sup. Ct.) 384
dissolution of (N. Y. Ct. App.) 92
dormant partners (N. Y. C. P.) 202
participation in profits (Conn.) 350
party allowing use of name, liability of (N. Y. C. P.) 201
personal services of partner (Barb. N. Y.) 269
voluntary association (N. Y. Ct. App.) 137
Parties:
in action for partition (Barb. N. Y.) 11
to action on contract with carrier (Ala.) 76
Partition, suit for (Barb. N. Y.) 11
Passenger:
commutation ticket, duty to show (Am. Rep.) 307
damages for injury to; pain of mind (Am. Rep.) 94
ordinary behavior of (Eng.) 157
special contract exempting carrier from liability; free pass (Am. Rep.) 95
Payment:
form of denial of (N. Y. Sup. Ct.) 287
to wrong person (N. Y. Sup. Ct.) 10
what is (Am. Rep.) 189
Penalty under statute concerning trade-mark (N. Y. Ct. App.) 44
Penalties, where enforced (Am. Rep.) 189
Pendency of action as defense (N. Y. Sup. Ct.) 26
Pleadings:
bill of particulars (N. Y. Sup. Ct.) 287
complaint conformed to proof (N. Y. C. P.) 184
counter claim (N. Y. Sup. Ct.) 287
evidence under (Am. Rep.) 95
in action for purchase price of goods (N. Y. Sup. Ct.) 11
in equity cases (N. Y. Sup. Ct.) 382
joinder of parties and causes of action (N. Y. Sup. Ct.) 383
matter in mitigation of damages (N. Y. C. P.) 202
variance (N. Y. Ct. App.) 75
Pledge; action for converting statute of limitations (Barb. N. Y.) 176
Practice:
action against stockholder; when demurrer will lie (N. Y. Ct. App.) 93
adjournment (N. Y. Sup. Ct.) 122
affirmative belief (N. Y. Sup. Ct.) 109
amending undertaking on appeal to court of appeals (N. Y. Sup. Ct.) 108
amendment of pleadings (N. Y. Sup. Ct.) 122
costs (N. Y. Ct. App.) 92
counter claim and payment (N. Y. Ct. App.) 92
damages not recoverable beyond amount claimed in complaint (N. Y. Sup. Ct.) 248
discontinuance (N. Y. Sup. Ct.) 104
dismissal of complaint by general term (N. Y. Ct. App.) 43
election of actions, waiver of (N. Y. Ct. App.) 57
in case of nonsuit (Barb. N. Y.) 11
judgment, when not appealable (N. Y. Ct. App.) 93
justice's court (N. Y. Sup. Ct.) 122
national banks when to be sued (Am. Rep.) 188
new trial, cost (N. Y. Sup. Ct.) 233
quia timet, when maintainable (N. Y. Ct. App.) 75
undertaking, action on (Barb. N. Y.) 269
Principal and agent:
agent for sale of note (N. Y. Sup. Ct.) 383
contract between brokers (Eng.) 28
credit to principal (Eng.) 28
del credere agent (Am. Rep.) 138
husband as agent of wife (N. Y. Sup. Ct.) 334
liability of selling broker (Eng.) 28
over-payment by mistake (Eng.) 28
payment to agent binding on principal (Barb. N. Y.) 11

Principal and agent—Continued. PAGE.
receipt given by agent (Am. Rep.) 223
revocation (N. Y. Sup. Ct.) 288
want of authority (N. Y. C. P.) 198
Privileged communications (Am. Rep.) 223
Probable cause and malice (N. Y. Ct. App.) 75
Promise to pay debt of another, who may sue upon (Barb. N. Y.) 176
Promise to pay debt of another (N. Y. Sup. Ct.) 27
Promissory note:
accommodation (Am. Rep.) 234
addressed to third person and accepted (Ala.) 76
alteration (Am. Rep.) 234
bona fide holder for value (N. Y. Sup. Ct.) 286
consideration (N. Y. Sup. Ct.) (Conn.) 286, 349
drawers as agents (Am. Rep.) 234
evidence in action by *bona fide* holder (Am. Rep.) 370
form of (Ala.) 76
fraudulent diversions (Am. Rep.) 370
fraudulent inception (Conn.) 351
indorsement (N. Y. Sup. Ct.) 286
indorsement after due (N. Y. Sup. Ct.) 250
in payment of debt of another (Conn.) 350
loan of Confederate treasury notes (Ala.) 76
mistake (Am. Rep.) 788
notice of ownership (N. Y. Sup. Ct.) 222
notice of protest (N. Y. C. P.) 171
notice to indorser (Am. Rep.) 234
obtained by menace of arrest (Barb. N. Y.) 11
parol evidence as to indorsement (Am. Rep.) 370
patented invention as consideration (Am. Rep.) 234
premature action (Am. Rep.) 234
promise of indorser to pay (N. Y. C. P.) 171
proof of protest (N. Y. Sup. Ct.) 222
purchase-money of slave (Ala.) 76
receivers of National Bank (N. Y. Sup. Ct.) 286
stamp (Ala.) 76
warranty, to be good (N. Y. Sup. Ct.) 383
Public duty (Conn.) 351

Railroads:
city streets, powers of common council (N. Y. Ct. App.) 93
cumulative penalties for extortion by, not recoverable (N. Y. Ct. App.) 58
extortion by (N. Y. Ct. App.) 58
injuries to child nineteen months old (Am. Rep.) 234
leases of (N. Y. Ct. App.) 58
mortgage of property (Am. Rep.) 234
negligence, when presumed (N. Y. Ct. App.) 75
passenger paying no fare, liability for injury to (N. Y. Sup. Ct.) 335
taxation in aid of (Am. Rep.) 110
transportation of animals (Eng.) (Am. Rep.) 304, 368
Real estate:
boundary line (Am. Rep.) 367
construction of statutes (N. Y. Sup. Ct.) 335
contract for sale of, measure of damages for breach of (Am. Rep.) 416
conveyance by insane person (N. Y. Sup. Ct.) 26
conveyance of escheated lands without inquest of office found (Am. Rep.) 369
description of premises (N. Y. Sup. Ct.) 336
escheat (Am. Rep.) 369
eviction (Am. Rep.) 384
measure of damages 27
mutual transfer of possession and statute of frauds (Am. Rep.) 251
sales for assessment (N. Y. Sup. Ct.) 335
streets and highways (N. Y. Sup. Ct.) 336
title of owners of land abutting on street on closing same (N. Y. C. P.) 213
Rebellion, contracts during (Am. Rep.) 234
Receiver (Barb. N. Y.) 175
Reference:
ambiguous finding of referee (N. Y. Ct. App.) 44
amendments, power of referee to allow (N. Y. Ct. App.) 44
finding on referee in case of conflicting evidence (N. Y. Sup. Ct.) 27
finding on conflicting proof (N. Y. C. P.) 8
in fire insurance case (N. Y. Sup. Ct.) 337
referee, power of, to allow amendments (N. Y. Ct. App.) 44
Reformation of deed (Barb. N. Y.) 45
Religious corporations, control of court over (N. Y. Sup. Ct.) 108
Removal of causes:
constitutionality of act of March 2, 1867 (Am. Rep.) 110
"final hearing or trial" (N. Y. C. P.) 9, 214
joint petition (N. Y. C. P.) 8
non-resident, company accepting service of process in State court (Am. Rep.) 252
"Trial on final hearing," what is (N. Y. C. P.) 9, 214
Replevin (N. Y. Sup. Ct.) 250
Restraint of trade, construction of covenant (Am. Rep.) 235
covenant in (Eng.) 157
Right of dower, conveyance of (N. Y. Sup. Ct.) 26
Riparian rights:
dam obstructing mill above (Am. Rep.) 251
navigable lake (Eng.) 305

Riparian rights—Continued. PAGE.
railroad track on banks of navigable river (Am. Rep.) 251
sea-shore (Conn.) 351
Riparian owner (N. Y. Ct. App.) 44
Salaries of officers (Am. Rep.) 417
Sale:
fraud (N. Y. Sup. Ct.) 122
measure of damages (N. Y. Sup. Ct.) 122
warranty (N. Y. Sup. Ct.) 122
Sale and delivery:
acceptance (N. Y. Sup. Ct.) 333
action for non-acceptance of purchased goods (N. Y. Sup. Ct.) 122
cargo, delivery of (Eng.) 302
completion of sale (Conn.) 351
condition precedent (Eng.) 302
damages (N. Y. Sup. Ct.) 10
definition of "remnants" (N. Y. Sup. Ct.) 337
effect on warranty of acceptance after examination (Conn.) 352
evidence of delivery (N. Y. Sup. Ct.) 248
receipt of bills of lading (Eng.) 302
transfer of title (Am. Rep.) 251
Sale of business and good will (Eng.) 158
Sale of goods, action for purchase price (N. Y. Sup. Ct.) 11
Salvage:
apportionment of (Eng.) 158
baggage of passenger (Eng.) 28
jurisdiction (Eng.) 28
lien of salvor (Eng.) 28
life salvage from foreign ships (Eng.) 28
passenger's baggage (Eng.) 28
right to begin (Eng.) 28
rival salvors (Eng.) 28
Sea-shore (Conn.) 351
Secretary of state, duty of as to filing papers on organization of corporations (N. Y. Ct. App.) 56
Seduction, measure of damages (Am. Rep.) 251
Sheriff:
action against, actual damage to be shown in (Eng.), 304
action against, for not returning execution (N. Y. Sup. Ct.) 109
false return (Eng.) 304
liability for attached property (Conn.) 350
notice of sale (N. Y. Sup. Ct.) 288
Slander of title (Am. Rep.) 251
Slander of wife, chastity, special damage (Eng.) 158
Special sessions:
court of, in New York city, its jurisdiction, by whom held (N. Y. Sup. Ct.) 231
"disability" of judge must be actual (N. Y. Sup. Ct.), 230
Monroe county, laws of New York of 1870, chapter 47 (N. Y. Sup. Ct.) 249
Spring:
flow of water (Barb. N. Y.) 270
rights of owner (Barb. N. Y.) 270
Stamps:
exempt from taxation (Am. Rep.) 251
unstamped instrument (Am. Rep.) 251
Statutes:
construction of (N. Y. Ct. App.) 137
construction of, relating to water board of Brooklyn (N. Y. Sup. Ct.) 337
Statute of frauds:
adoption (N. Y. Ct. App.) 93
agreement (N. Y. Sup. Ct.) 156
contract, one of sale not of hiring (N. Y. Sup. Ct.) 186
delivery (N. Y. Ct. App.) 93
memorandum signed by agent (N. Y. Ct. App.) 93
mutual transfer of lands (Am. Rep.) 251
promise to answer for debt or default of another 158
promise to pay debt of another (Eng.) 304
satisfaction of debt by application of debt due from creditor (N. Y. Ct. App.) 75
Statute of limitation:
action on warrant for sale of fruit trees (N. Y. Sup. Ct.) 109
fraudulent representation (Barb. N. Y.) 269
insolvent debtor (Am. Rep.) 251
partial payment (Barb. N. Y.) 269
non-residence and residence (Am. Rep.) 251
suspended in Alabama, how long (Ala.) 77
when it begins to run (N. Y. Sup. Ct.) 27, 125
subletting (N. Y. Ct. App.) 56
Sunday:
contract signed on Sunday bearing week-day date (Conn.) 351
exchange of articles (Am. Rep.) 187
partial agreement on (Am. Rep.) 415
Supplementary proceedings, exempt property (N. Y. Ct. App.) 75
Surety, evidence of intention in signing (N. Y. Sup. Ct.) 222
Surrogates' court (see *Will*).

Taxation:
school (N. Y. Sup. Ct.) 383
assessment in two towns (N. Y. Sup. Ct.) 109
cemetery associations liable for local (N. Y. Ct. App.) 93
construction of statutes (N. Y. Ct. App.) 93

Taxation — Continued. PAGE.
determination of assessors as to property benefited (N. Y. Sup. Ct.) 106
exemption from (N. Y. Ct. App.) 93
for local improvements (N. Y. Sup. Ct.) 106
public and local taxes (N. Y. Ct. App.) 93
Tenant in common:
accounting by (Barb. N. Y.) 11
liability for rents (Barb. N. Y.) 12
Title:
action *quia timet*, when maintainable (N. Y. Ct. App.) 75
cloud upon (N. Y. Ct. App.) 75
covenant for (Eng.) 303
lands held in cemetery (N. Y. Ct. App.) 93
slander of (Am. Rep.) 251
Trade-mark:
name of manufacturing company as (Conn.) 349
number of street as part of (N. Y. Sup. Ct.) 109
penalty under statute concerning (N. Y. Ct. App.) 44
Trial, questions to be left to the jury (N. Y. C. P.) 9
Trust:
power coupled with interest (N. Y. Sup. Ct.) 109
what is capital and what income of (Am. Rep.) 252
two trials for same offense, meaning of (Ala.) 77

Undertaking:
action on (Barb. N. Y.) 269
condition precedent to (N. Y. Sup. Ct.) 381
consideration (N. Y. Sup. Ct.) 366
defense to undertaking on attachment (N. Y. Sup. Ct.) 366
for recovery of personal property (Barb. N. Y.) 269
in justice's court, how far it extends (N. Y. Sup. Ct.) 125
Usury (N. Y. C. P.) 185

Vendor and purchaser (Eng.) 158
Vendor and vendee:
agreement that vendee shall bear risks and dangers of sea (Eng.) 302
damaged article (Am. Rep.) 252

Waiver (Barb. N. Y.) 272
Warehousemen, lost goods (Conn.) 350
Warranty:
breach of (N. Y. C. P.) 185
construction of (Am. Rep.) 252
in executory contracts (N. Y. Sup. Ct.) 233
measure of damages (Conn.) 352
return of goods (Barb. N. Y.) 270
Water commissioners of Brooklyn (N. Y. Sup. Ct.) 337
Water course from springs (N. Y. Sup. Ct.) 126
Water courses, riparian owner's right to use of running stream (N. Y. Ct. App.) 44
Water privilege, grant of (N. Y. Ct. App.) 56
Will:
assignment from *cestui que trusts* to trustees (N. Y. C. P.) 218
construction of, devising clause (Barb. N. Y.) 12
partition under (Barb. N. Y.) 11
"time of executing" (Barb. N. Y.) 12
devise to infidel society (Am. Rep.) 252
"dying without issue," meaning of (Am. Rep.) 252
fee given without words of limitation (Eng.) 305
illegitimate children (Conn.) 352
joint will, how will operate (Ala.) 78
mental capacity of testator (Barb. N. Y.) 12
mutual wills, how enforced (Ala.) 78
provision for widow (Conn.) 352
revocable, how (Ala.) 78
surrogate's court (N. Y. C. P.) 218
testator, mental capacity of (Barb. N. Y.) 12
trust under (Am. Rep.) 252
undue influence (Barb. N. Y.) 12
what instrument is (Ala.) 78
Witness:
agent competent to prove his agency (Ala.) 76
assignor of the interest involved in suit (Barb. N. Y.) 270
contempt (Am. Rep.) 369
defendant in an indictment not disqualified by previous conviction of felony (N. Y. Sup. Ct.) 122
in action by executrix (Barb. N. Y.) 270
juror as (Ala.) 78
Work, what constitutes day's (Conn.) 349